Disability Resources - Frequently Asked Questions

Question: Where can I get information about making workplace accommodations?

Answer: The Job Accommodation Network (JAN), sponsored by the Office of Disability Employment Policy (ODEP), provides employers, employees and others information about appropriate accommodations for specific individuals and jobs. JAN also provides information on the employment provisions of the Americans with Disabilities Act and on resources for technical assistance, funding, education, training and services related to the employment of people with disabilities. JAN features the Searchable Online Accommodation Resource (SOAR), a web-based database of accommodation information based on the more than 250,000 cases to which it has responded. JAN can also be reached at 800-526-7234 (voice and TTY).

Category: Disability Resources

Subcategory: Workplace Accommodations, Resources and Assistance

Question: What percentage of people with disabilities are employed?

Answer: The statistics vary depending on the source data and the definition of disability.

The Office of Disability Employment Policy (ODEP) reports disability employment statistics from the Current Population Survey (CPS), which include three key statistics for people with and without disabilities:

Labor force participation rate – the total labor force divided by the entire population

Employment-population ratio – the number of people employed divided by the entire population

Unemployment rate – the number of unemployed people divided by the labor force

ODEP's disability employment statistics webpage also provides information on youth with disabilities, labor force statistics by disability status and race/ethnicity, and includes links to additional disability employment statistics resources.

For breakdowns by state, ODEP publishes maps of the employment-population ratio for people with and without disabilities by state and race or ethnicity and median annual earnings by disability status, state, and sex.

ODEP produces a series of Disability Data Blogs that focus on various topics such as the employment of people with disabilities in skilled trade professions.

ODEP and their grantees, contractors, and other partners also undertake a variety of research, analysis, and evaluation efforts to help achieve the goal of increasing quality employment opportunities for people with disabilities, which are posted on ODEP's Current and Recently Completed Work and Past Research webpages.

Category: Disability

Resources: Disability Employment Data, Employment Statistics Subcategory

Question: What can I do if I think my employer or supervisor is discriminating against me because of my disability?

Answer: The Office of Disability Employment Policy (ODEP) has a helpful fact sheet, Employment Rights, Who Has Them and Who Enforces Them, which summarizes the federal laws that prohibit discrimination against people with disabilities and provides contact information for further information and assistance.

There may also be applicable laws in your state. Contact your state Department of Labor office for more information.

Category: Disability Resources

Subcategory: Employment Discrimination, Disability Rights

Question: How does the federal government define "disability"?

Answer: The definition of "disability" varies depending on the purpose for which it is being used. Federal and state agencies generally use a definition that is specific to a particular program or service. For example:

For purposes of nondiscrimination laws (e.g. the Americans with Disabilities Act, Section 503 of the Rehabilitation Act of 1973 and Section 188 of the Workforce Investment Act), a person with a disability is generally defined as someone who (1) has a physical or mental impairment that substantially limits one or more "major life activities," (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

To be found disabled for purposes of Social Security disability benefits, individuals must have a severe disability (or combination of disabilities) that has lasted, or is expected to last, at least 12 months or result in death, and which prevents working at a "substantial gainful activity" level.

State vocational rehabilitation (VR) offices will find a person with a disability to be eligible for VR services if he or she has a physical or mental impairment that constitutes or results in a "substantial impediment" to employment for the applicant.

Some of these definitions include words or phrases that have been the subject of lawsuits, as individuals, agencies, and courts try to clarify the terms used in some of these definitions of disability. If you want to find out if a particular disability or condition gives you certain rights, contact the federal or state agency that enforces the law in question. If you want to find out if you qualify for a particular program or service, be sure to contact the federal or state agency that administers the program to find out the specifics of the disability definition they use.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Definitions and Criteria

Question: What is the Department of Labor's Office of Disability Employment Policy?

Answer: The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP is the only non-regulatory federal agency that promotes policies and coordinates with employers and

all levels of government to increase workplace success for people with disabilities.

With the ultimate goal of increasing the number of people with disabilities who work, either as employees or entrepreneurs, ODEP provides policy analysis, technical assistance, development of innovative practices and strategies, and education and outreach to employers, employees and the disability community.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Federal Agencies and Programs

Question: I am a person with a disability. Where can I get information and financial assistance to start my own business?

Answer: Information on self employment and entrepreneurship can be found on the websites of the Office of Disability Employment Policy and the Job Accommodation Network.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Self-Employment and Entrepreneurship

Question: What is the Americans with Disabilities Act (ADA)?

Answer: The Americans with Disabilities Act (ADA) is the disability related law with which many Americans are most familiar. One part of the ADA, Title I, prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, job assignments, pay, benefits, job training, and other employment practices. This part of the law also requires that employers and other specified persons and organizations provide reasonable accommodation for a known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operations of the

employer's business. Other parts of the ADA apply to state and local government services and employment, public accommodations, transportation, and telecommunications. The Equal Employment Opportunity Commission (EEOC) has primary responsibility for enforcing the employment-related portions of the ADA, although other Federal agencies, such as DOL's Office of Federal Contract Compliance Programs (OFCCP), also have responsibilities under those portions of the law.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Disability Rights

Question: Are there any tax incentives for hiring people with disabilities?

Answer: The Office of Disability Employment Policy (ODEP) page on Tax Incentives for Employers provides an explanation of currently available tax incentives.

Category: Disability Resources

Subcategory: Tax Incentives, Employment Laws and Regulations

Question: Where can employers find qualified applicants with disabilities?

Answer: The Employer Assistance (EARN), a service for employers sponsored by the Office of Disability Employment Policy (ODEP), helps employers find qualified applicants with disabilities. You may contact EARN at its website.

Comprehensive information for employers about recruiting and hiring qualified applicants with disabilities is available on the Employers topic page of ODEP's website.

Category: Disability Resources

Subcategory: Employment and Recruitment Services, Disability Hiring Resources

Question: What is Section 503 of the Rehabilitation Act of 1973?

Answer: Section 503 of the Rehabilitation Act of 1973, as amended, requires employers with federal contracts or subcontracts that exceed $10,000, and contracts or subcontracts for indefinite quantities (unless the purchaser has reason to believe that the cost in any one year will not exceed $10,000), to take affirmative steps to hire, retain, and promote qualified individuals with disabilities. The regulations implementing Section 503 make clear that this obligation to take affirmative steps includes the duty to refrain from discrimination in employment against qualified individuals with disabilities.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Disability Rights

Question: What are my obligations as an employer under Title I of the Americans with Disabilities Act, and where can I get technical assistance?

Answer: Employers with 15 or more employees are prohibited under the Americans with Disabilities Act (ADA) from discriminating against qualified applicants or employees with disabilities. Information about employer obligations under the ADA can be obtained from the U.S. Equal Employment Opportunity Commission 800-669-4000 (voice), or 800-669-6820 (TTY).

Information can also be obtained from the federally sponsored ADA National Network

Employers should also determine obligations they may have under state law.

Category: Disability Resources

Subcategory: Employment Laws and Regulations, Disability Rights

Question: I'm a person with a disability and I would like to work for the federal government. How do I get a job with the government?

Answer: The federal government has taken a number of actions over the last few years to ensure that federal employment opportunities are available to individuals with disabilities on a non-discriminatory basis. The Office of Personnel Management (OPM) has a helpful web site, Federal Employment of People with Disabilities. The site describes the federal employment process and provides a variety of resources for job seekers with disabilities.

Regarding specific positions with the federal government, check OPM's USAJobs web site.

Category: DisabilityResources

Subcategory: Category: Employment Laws and Regulations , Disability Hiring and Opportunities